7533. Misbranding of Knoxit Liquid and Knoxit Globules. U. S. * * * v. 5 Dozen Bottles of Drugs. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10177, 10178. I. S. Nos. 13547–r, 13548–r. S. No. E–1341.)

On May 7, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 dozen bottles of Knoxit Liquid and 1 dozen bottles of Knoxit Globules, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped on or about October 2, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The liquid was labeled in part: (Wholesale carton) "Knoxit the great Prophylactic and Remedy Knoxit in Five Days Knoxit Safe, Sure, Guaranteed Try It;" (retail carton) "Knoxit the great Prophylactic for Inflammation of the Mucous Membranes;" (bottle) "Knoxit Liquid the great Prophylactic" (like statements in French, Italian, Spanish, Portuguese, German, and other languages). The globules were labeled in part: (Bottle and carton) "Knoxit Globules. The great internal Gonorrhoea and Gleet Remedy Beggs Manufacturing Co., Chicago;" (circular) "Knoxit Globules. The great internal Gonorrhoea Preparation * * * especially prepared with a view of not only being used for Gonorrhoea but to act gently and effectively upon the kidneys and bladder."

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the Knoxit Liquid consisted essentially of zinc acetate, hydrastine, berberine, glycerin, and water, perfumed with rose, and that the Knoxit Globules consisted essentially of a mixture of copaiba and oil of cassia.

Misbranding of the articles was alleged in substance in the libel for the reason that certain statements, appearing on the labels and cartons, and in the circulars, regarding the therapeutic effects of the articles as a treatment, cure, or prophylactic for inflammation of the mucous membranes, gonorrhœa, gleet, and certain other diseases, were false and fraudulent in that said articles contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed for them.

On June 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. Ball, *Acting Secretary of Agriculture.*

7534. Adulteration and misbranding of effervescing solution citrated magnesia and effervescent granules citrated magnesia. U. S. * * * v. Howard D. Brewer and E. Avery Brewer (Brewer & Co.). Plea of guilty by the defendant H. D. Brewer. Fine, $50. Nolle prosequi as to Avery Brewer. (F. & D. No. 9244. I. S. Nos. 2633–p, 2634–p.)

On November 20, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Howard D. Brewer and E. Avery Brewer, trading as Brewer & Co., Worcester, Mass., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about June 4, 1917 (2 shipments), from the State of Massachusetts into the State of New Hampshire, of quantities of articles, labeled in part, respec-

tively, "Effervescing Solution Citrated Magnesia" and "Effervescent Granules Citrated Magnesia," which were adulterated and misbranded.

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the effervescing solution citrated magnesia contained in 100 mils 3.55 grams of citric acid, 1.56 grams of magnesium sulphate crystalline, 0.07 gram of benzoic acid, and 0.80 per cent by volume of alcohol, and that the effervescent granules citrated magnesia contained 14.78 per cent of citric acid, 32.23 per cent of tartaric acid, 11.76 per cent of sodium phosphate calculated as Na_2HPO_4, 0.63 per cent of magnesium sulphate ($MgSO_47H_2O$), and 0.014 per cent of saccharin.

Adulteration of the effervescing solution citrated magnesia was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the date of investigation of the article, in that it contained in each 100 mils 3.55 grams of citric acid, whereas said Pharmacopœia prescribes that it shall contain in each 100 mils 9.43 grams of citric acid, and in that said article contained magnesium sulphate, alcohol, and benzoic acid, which are not mentioned in said Pharmacopœia as ingredients of solution of magnesium citrate, and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of another article.

Adulteration of the effervescent granules citrated magnesia was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a mixture composed in part of tartaric acid and sodium phosphate prepared in imitation of citrated magnesia and was offered for sale and sold under the name of another article, to wit, citrated magnesia.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, and for the further reason that the statement, to wit, "Effervescent Granules Citrated Magnesia, a preparation of Magnesium Sulphate with an effervescent base," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the article was citrated magnesia with an effervescent base, whereas, in truth and in fact, it was not citrated magnesia, but was a product composed in part of tartaric acid and sodium phosphate.

On April 21, 1920, the defendant H. D. Brewer entered a plea of guilty to the information, and the court imposed a fine of $50. A nolle prosequi was entered as to the defendant Avery Brewer.

E. D. BALL, *Acting Secretary of Agriculture.*

7535. Adulteration and misbranding of Laxa-Cura Water. U. S. * * * v. Laxa-Cura Water Co., a corporation. Plea of guilty. Fine, $100. (F. & D. No. 11047. I. S. No. 14778-r.)

On October 10, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Laxa-Cura Water Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on October 3, 1918, from the State of New York into the State of New Jersey, of a quantity of an article, labeled in part "Laxa-Cura Water," which was adulterated and misbranded.